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MEMO ENDORSED

7/31/08

July 31, 2008

Via Fax (212) 805-7933
Hon. Andrew J. Peck
U.S. Magistrate Judge
United States District Court
Southern District of New York
U.S. Courthouse, Room 1370
500 Pearl Street
New York, NY 10007

BY FAX

Approved
SO ORDERED:
Hon. Andrew Jay Peck
United States Magistrate Judge
[Signature]
[Signature]
[Signature]

Re: Procapui-Produtiores v. Marcial Gerald Layani, et al.; 07CV6627

Dear Magistrate Judge Peck:

I represent the Higgins Defendants in the above matter. In your Order of July 24, 2008, following our conference on that date, you directed that the Higgins parties answer the amended complaint of Plaintiff by August 4, 2008.

Due to workload crises in other matters, I requested that Mr. DeMaio agree to an extension of one week in the time to answer the amended complaint to which request he generously consented. The purpose of this letter is to request the same extension to and including August 11, 2008 in the time to answer the amended complaint. We are proceeding with discovery as directed by the Magistrate, including the taking of a third party witness's deposition next week and the requested extension will not delay any other proceeding.

Thank you very much.

Very truly yours,

[Signature]
John J. Phelan, III

cc. via email

Luigi DeMaio, Esq.
Attorney for Plaintiff

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

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Dated: July 31, 2008

Total Number of Pages: 3

TO	FAX NUMBER
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TRANSCRIPTION:

MEMO ENDORSED 7/31/08

Approved.